IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS E. PEREZ, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,))) Judge Kim R. Gibson
Plaintiff,)
V.) Civil Action No. 15-10
HORIZONTAL WELL DRILLERS, LLC,)
Defendant.) Electronically Filed
Counsel report that they have met and con Resolution (ADR) and have reached the following st Court's ADR Policies and Procedures. I. PROCESS Select one of the following processes:	
 X Mediation Early Neutral Evaluation (ENE) Court sponsored Binding Arbitration Court sponsored Non-binding Arbitra Other (please identify process and process) 	ition
If you are utilizing a private ADR process, such be advised that the case is still governed by the C the responsibility of counsel to ensure that all of t filed, as required by Policies and Procedures.	ourt's ADR Policies and Procedures. It is
II. COSTS	
The parties have agreed to share the ADR costs as for Court sponsored arbitration. For that process, costs at USC §658.):	· · · · · · · · · · · · · · · · · · ·
If a dispute arises as to compensation and costs for the arbitrator, the Court will set reasonable compensation	

¹For binding arbitration, please complete form "Stipulation to Binding Arbitration" located on the Court's website at www.pawd.uscourts.gov

III. NEUTRAL

The parties hereby designate by agreement the following individual to serve as a Neutral in the above-styled action:

Name of Neutral:

Hon. Kenneth J. Benson
P.O. Box 101824, Pittsburgh PA 15237

Address of Neutral:
Telephone & FAX Numbers:
Email address of Neutral:

Date of ADR Session:

No later than July 2015 - specific date TBD

The parties represent that they have contacted the selected prospective neutral and have determined that the neutral is available to conduct the ADR session within the time prescribed by the Court's Policies and Procedures and that the neutral does not have a conflict.

IV. PARTICIPANTS

Name and title of the individual(s) who will be attending the mediation or early neutral evaluation session, in addition to counsel, in accordance with <u>Section 2.7 (Attendance at Session)</u> of the Court's ADR Policies and Procedures:

For Plaintiff: J. Daniel Doherty, Assistant District Director, Wage and Hour

Division, Pittsburgh District Office.

For Defendant: Trisha Gill, Esquire, Christine Stroud, Esquire, (in house counsel for

Riata HWD), Bob Morgan (Riata HWD) Brent Mills (Counsel for

HWD) and Dustin Guinn, executive of Riata HWD

If there is insufficient space to list all parties who will be attending the session, please add additional sheets as necessary.

Each party certifies that the representative(s) attending the ADR session on its behalf has full and complete settlement authority, <u>as specified in sub-section (A)(1-3) of the above section of the</u> Court's ADR Policies and Procedures.

V. ACKNOWLEDGMENT

We, the undersigned parties to this action, declare that this stipulation is both consensual and mutual.

Dated: 04.17.15 /s/Adam F. Welsh
Attorney for Plaintiff(s)

Dated: <u>04.17.15</u> /s/Trisha A. Gill

Attorney for Defendant(s)

Rev. 2/2014